

BOARD OF COUNTY COMMISSIONERS OF FREDERICK COUNTY
MEETING MINUTES FOR THURSDAY, NOVEMBER 30, 2006

Commissioner John L. Thompson, Jr., *President*, called to order a meeting of the Board of County Commissioners of Frederick County, Maryland, ("Board") for Thursday, November 30, 2006, at 9:30 a.m. Present were Commissioners Mike Cady, *Vice President*, John Lovell, Jr., and Bruce Reeder. Commissioner Jan Gardner was absent from the meeting. Also present were David Gray, County Commissioner-Elect, Charles Jenkins, County Commissioner-Elect, Doug Browning, County Manager and Deborah Smith, Recording Secretary.

(Official Minutes of the Board of County Commissioners' meetings are kept on file in the County Manager's Office; the meetings are also video recorded. Approved minutes are available on the County web page. To receive a copy of meetings recorded on videotape or DVD, please contact the Board of County Commissioners at 301-600-1100 or visit the County web page at www.co.frederick.md.us)

NOTE: Copies of all staff reports are available in the OnBase system. If you need assistance with the OnBase system, please contact the recording secretary.

PLEDGE OF ALLEGIANCE

The meeting began with the recitation of the Pledge of Allegiance.

ACTION ON THE AGENDA

Commissioner Cady requested that an administrative business item, a discussion of a liaison to the Journey Through Hallowed Ground Committee, be added. The item was added to the end of the agenda.

COMMISSIONERS COMMENTS

Commissioner Cady made remarks on the event of this being his last meeting as commissioner this term.

Special Presentation by Dr. Carol Eaton, President, Frederick Community College

Dr. Eaton presented to Commissioner Lovell a certificate and gift for his service as liaison to Frederick Community College.

Special Presentation by Commissioner John L. Thompson, Jr.

Commissioner Thompson presented plaques to Commissioners Cady, Lovell and Reeder in appreciation of their service as Frederick County commissioners.

CONSENT AGENDA

The following items were listed on the consent agenda.

Bid Awards

- Request to Piggyback Existing Cisco Equipment and Maintenance Contract
- Renewal Recommendation for Microsoft Software Assurance Piggyback Contract
- RFP-06-15, Dispatch Software for Frederick County Transit

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Budget Transfer

- BT-07-093 – Accounting
- BT-07-095 – Finance

Grants

- FY 2007 Emergency Medical Dispatcher Training Grant from Maryland Institute for Emergency Medical Services Systems (MIEMSS) and Budget Transfer – Fire and Rescue Services Division

Commissioner Reeder moved to approve the items on the consent agenda as presented. Commissioner Cady seconded the motion that passed 4 – 0, with Commissioner Gardner absent.

ADMINISTRATIVE BUSINESS

Approval of Board of County Commissioners Meeting Minutes

- Public Meeting Minutes for Tuesday, October 3, 2006
- BOCC Meeting Minutes for Thursday, November 2, 2006
- BOCC Meeting Minutes for Thursday, November 9, 2006
- Two (2) Forms of Statement to Close Meeting on Thursday, November 9, 2006
- Closed Session Minutes for Thursday, November 9, 2006
- Two (2) Forms of Statement to Open Meeting Following Closed Session on Thursday, November 9, 2006
- BOCC/Frederick County Delegation Meeting Minutes for Monday, November 13, 2006
- BOCC Meeting Minutes for Tuesday, November 14, 2006
- BOCC Public Meeting Minutes for Tuesday, November 14, 2006
- BOCC Meeting Minutes for Thursday, November 16, 2006
- Form of Statement to Close Meeting on Thursday, November 16, 2006
- Closed Session Minutes for Thursday, November 16, 2006
- Form of Statement to Open Meeting Following Closed Session on Thursday, November 16, 2006
- BOCC Meeting Minutes for Thursday, November 16, 2006 (Evening)
- BOCC Meeting Minutes for Monday, November 20, 2006
- Form of Statement to Close Meeting for Monday, November 20, 2006
- Closed Session Minutes for Monday, November 20, 2006
- Form of Statement to Open Meeting Following Closed Session on Monday, November 20, 2006
- BOCC Meeting Minutes for Tuesday, November 21, 2006
- BOCC Public Meeting Minutes for Tuesday, November 21, 2006

Commissioner Reeder requested an addition to the minutes of November 14, 2006. The minutes were approved by unanimous consent with that addition.

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Official Action Resolution – Economic Development Revenue Bond (Bakery de France, Inc./Riverside Bakery II, LLC Facility) – Timmy Ruppertsberger, Esquire, Venable LLC, (County Bond Counsel)

Ms. Ruppertsberger presented a proposed resolution that, if approved, would facilitate bond financing for Bakery de France, Inc./Riverside Bakery II, LLC.

Commissioner Reeder moved to approve the resolution as presented. Commissioner Lovell seconded the motion that passed 3 – 1, with Commissioner Thompson opposed and Commissioner Gardner absent.

(A copy of Resolution #06-51 can be obtained in the County Manager's office.)

Bid Awards – Hal Good, Director, Purchasing Department, Finance Division

Sole Source Renewal Recommendation for Oracle PeopleSoft Maintenance for Frederick County Government and Frederick County Public Schools

Mr. Good presented the bid award and requested that the Board approve the addition of maintenance for the treasury software in the amount of \$26,840.81, making the total award \$320,958.55.

Commissioner Lovell moved to approve the bid award, including the treasury maintenance, in the total amount of \$320,958.55. Commissioner Reeder seconded the motion that passed 4 – 0, with Commissioner Gardner absent.

Enter into a Contract with Waste Management Inc. to Provide Modified Recycling Services for Frederick County Office Buildings

Commissioner Reeder moved to approve the bid award as presented. Commissioner Cady seconded the motion that passed 4 – 0, with Commissioner Gardner absent.

Decision on Ordinance for Rezoning Case #R-06-05 (Applicant: Carroll Manor Fire Company, Inc.) – Michael Chomel, County Attorney's Office

Mr. Chomel presented an ordinance that was a result of the public hearing on Tuesday, November 21, 2006, regarding Rezoning Case #R-06-05. He indicated that if there was no objection, the ordinance would be circulated among the members of the Board for signature.

There was no objection.

(A copy of Ordinance #06-41-437 can be obtained in the County Manager's office.)

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Safe and Stable Grant Contract and Budget Transfer #BT-07-087 – Shelly Toms, Family Partnership, Citizens Services Division and Deb Ramelmeler, Social Services

Ms. Toms presented a memorandum of agreement (MoA) between the Department of Social Services of Maryland and Frederick County and Budget Transfer #BT-07-087. She requested that the Board approve the MoA, approve the budget transfer and approve the reinstatement of a Social Security II position.

Commissioner Reeder moved to approve staff's request as presented. Commissioner Lovell seconded the motion that passed 4 – 0, with Commissioner Gardner absent.

(Commissioner Cady exited the room.)

30 North Market Street Renovations, Contract #C11015, Change Order #21 – Chuck Nipe, Construction Management and Inspections and Dave Ennis, Program Development and Management, Public Works Division

Mr. Nipe presented Change Order #21 to Contract #C11015, 30 North Market Street, that increased the contract by \$25,257.72 to a total of \$2,241,883.90. He requested Board approval of the change order.

Commissioner Lovell moved to approve the change order as presented. Commissioner Reeder seconded the motion that passed 3 – 0, with Commissioners Cady and Gardner absent.

(Commissioner Cady reentered the room.)

New Design Water Transmission Main, Contract #110A2-W, Change Order #15 – Kevin Demosky, Utilities and Solid Waste Management Division

Mr. Demosky presented Change Order #15 to Contract #110A2-W, New Design Water Transmission Main, Part 2, that added 113 days to the contract, moving the date of completion to September 7, 2006. He requested Board approval of the change order.

Commissioner Reeder moved to approve the change order as presented. Commissioner Cady seconded the motion that passed 4 – 0, with Commissioner Gardner absent.

Non-Residential Multi-Year Tap Agreements and Frederick County Easements – Wendy Kearney, County Attorney's Office and Mike Marschner, Utilities and Solid Waste Management Division

Ms. Kearney and Mr. Marschner provided an update for the Board's information regarding the negotiations to obtain easements from Mr. Cohen and Mr. Demmitt. They indicated that meetings were being held between the parties and progress was probable.

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Ms. Kearney indicated that since it seemed that progress was being made toward an agreement for the easements, condemnation of the properties had not been filed as was directed by the Board on Thursday, November 9, 2006.

The Board took no action on this item.

Commissioner Liaison to the Journey Through Hallowed Ground Committee –
Commissioner Mike Cady

Commissioner Cady indicated that he had served as liaison to the Journey Through Hallowed Ground Committee during his term and urged the Board to add this committee to their list of boards and commissions to which a commissioner served as liaison as it was important to Frederick County.

The Board took no action on this matter.

COMMISSIONERS COMMENTS

None.

PUBLIC COMMENTS

None.

QUESTIONS – PRESS

None.

ADJOURN

The meeting adjourned at 10:40 a.m.

Respectfully submitted,

Deborah A. Smith
Recording Secretary